

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,	)	
	)	No. CR-07-132-CI
Plaintiff,	)	
	)	ORDER DENYING DEFENDANT'S
v.	)	MOTION TO DISMISS AND
	)	SETTING TRIAL
JEFFREY SCOTT GREGORY	)	
	)	----- ACTION REQUIRED -----
Defendant.	)	

At the April 14, 2008, hearing on Defendant's Motion to Dismiss (Ct. Rec. 40), Assistant Federal Defender Jaime Hawk and Legal Intern Josh Esplin represented Defendant and were present in the courtroom; Defendant appeared telephonically. Assistant U.S. Attorney Legal Intern Gabriel Boeneke represented the United States. Both sides argued.

**IT IS ORDERED:**

1. Defendant's Motion to Dismiss (Ct. Rec. 40) is **DENIED**.
2. The trial, if it is to proceed as a bench trial, is set for **April 25, 2008, at 2:00 p.m., in Spokane**, Washington, before the undersigned.
3. The file does not reflect a waiver of jury trial. If Defendant chooses to proceed by jury trial, through counsel he shall notify the court within three (3) business days of the date of this Order, and the parties shall confer and notify the courtroom deputy of a date when the parties are available to proceed at 9:00 a.m., rather than 2:00 p.m. An order then will be entered to reflect a

1 date for filing proposed jury instructions.

2 4. An indigent Defendant's requests for issuance of subpoenas  
3 and payment of costs and fees for trial witnesses shall be filed no  
4 later than eight (8) days before trial, excluding weekends and  
5 holidays.

6 The District Court Executive is directed to file this Order and  
7 provide copies to counsel.

8 DATED April 15, 2008.

9  
10 S/ CYNTHIA IMBROGNO  
UNITED STATES MAGISTRATE JUDGE